

REMARKS/ARGUMENTS

In the Office Action mailed March 30, 2005, claims 1-30 were rejected. Applicant has thoroughly reviewed the outstanding Office Action including the Examiner's remarks and the references cited therein. The following remarks are believed to be fully responsive to the Office Action. All the pending claims at issue are believed to be patentable over the cited references.

Claims 1, 8, 16-17, 23, 25 and 27 have been amended. Claims 7 and 24 have been cancelled. As such, claims 1-6, 8-23 and 25-30 remain pending.

SPECIFICATION OBJECTIONS

The Examiner objected to the language and format of the abstract of the disclosure. Applicant has amended the abstract to conform with the Examiner's requests. The amendments do not add any new matter. In light of these amendments, Applicant respectfully requests that the amendments be entered and the objection to the specification be removed.

CLAIM REJECTIONS – 35 U.S.C. § 102(b)

The Examiner rejected claims 1-30 under 35 U.S.C. §102(b) as being anticipated by United States Patent No. 5,014,689 to Meunchen *et al.* (hereinafter referred to as "Meunchen") and by United States Patent No. 4,854,309 to Elsey (hereinafter referred to as "Elsey"). In light of the following remarks, Applicant respectfully submits that these claims are allowable.

Initially, Applicants note that it is axiomatic that to qualify as an anticipation under Section 102, the cited reference must "bear within its four corners adequate directions for the practice of the patent invalidated." (See, for example, Dewey & Almay Chemical Co. v. Mimex

Co., Inc., 52 U.S.P.Q. 138 (2nd Cir. 1942)). Applicant respectfully submits that neither Meunchen nor Elsey embodies such directions.

More particularly, Applicant respectfully submits that Meunchen and Elsey do not disclose a gripping apparatus and method for hand-held objects that, at the very least, does not include a “removable pad” as is claimed in the current invention. Applicant has designed an apparatus and method to aid the growing number of people who have limited use of their hands and wrists.

The pad is located on the arm wrap such that when the arm wrap is used by an individual it is positioned within the palm region of the human hand. This location reduces any gap created when the arm wrap is placed around the person’s hand. By eliminating or reducing the gap, there is less flexibility or freedom of movement in primarily a vertical direction for any device located with the holder. This positioning enables the person to have greater control of the task they are trying to undertake. Without such a pad, any object in the holder is less secure and as a result subject to less control. For those with limited use of their hands, this makes undertaking a task more difficult.

Meunchen and Elsey, on the other hand, have designed hand braces used for controlling or treating cumulative trauma disorder by limiting the motion of the hand and wrist. Neither Meunchen nor Elsey disclose an apparatus or method that aids the gripping of hand-held objects such that it includes a pad in the palm region of a hand. In reality, the cited references do not disclose and actually teach away from using a pad as claimed in the present invention. For example, the devices in both references limit motion of a wrist but at the same allow the individuals to use these devices to maintain gripping and grabbing abilities. By adding the pad,

as is presently claimed, the devices in the cited prior art would not be able to maintain gripping and grapping abilities.

In light of the foregoing arguments, withdrawal of the rejection of claims 1-30 under 35 U.S.C. § 102(b) as being anticipated by Meunchen and Elsey is respectfully requested.

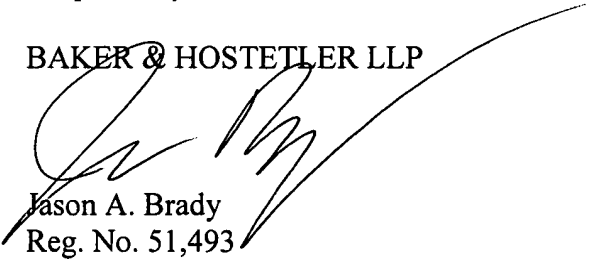
CONCLUSION

In view of the foregoing remarks, Applicant respectfully requests that all the objections and rejections to the specification and claims be removed. If, for any reason, the Examiner disagrees, please call the undersigned attorney at 407-649-4003 in an effort to resolve any matter still outstanding before issuing another action. The undersigned attorney is confident that any issue which might remain can readily be worked out by telephone.

In the event this paper is not timely filed, Applicant petitions for an appropriate extension of time. Please charge any fee deficiencies or credit any overpayments to Deposit Account No. 50-2036 with reference to Attorney Docket No. 27011.0001.

Respectfully submitted,

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